

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KATHLEEN M HESKETT,

No. C-11-03377 DMR

Plaintiff(s),

**ORDER DISCHARGING ORDER TO
SHOW CAUSE**

v.

MICHAEL J ASTRUE,

Defendant(s).

Defendant filed his answer in the above-captioned Social Security case on November 8, 2011. [Docket No. 13.] Accordingly, Plaintiff should have filed a motion for summary judgment no later than December 8, 2012. Pursuant to the parties' December 20, 2012 stipulation, however, the court granted Plaintiff an extension until January 9, 2012 to file her motion. [Docket Nos. 17-18.] As of January 23, 2012, Plaintiff had made no filings. The court therefore issued Plaintiff an Order to Show Cause on that date, demanding a response within four days as to why the court should not dismiss her case for failure to prosecute. [Docket No. 19.]

Plaintiff filed her response on January 27, 2012. [Docket No. 20.] Although the court understands the proffered reasons for Plaintiff's delayed filing of a motion for summary judgment, the court admonishes Plaintiff's counsel for not alerting the court to these difficulties in a timely manner and, instead, waiting until the court issued an Order to Show Cause.

1 The court hereby DISCHARGES the Order to Show Cause and GRANTS Plaintiff until
2 February 6, 2012 to file her motion for summary judgment. The court will impose sanctions on
3 Plaintiff's counsel for any further delays in this case, absent a showing of extraordinary cause.

4 IT IS SO ORDERED.

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6 Dated: January 30, 2012

